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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 **IVAN VERNARD CLEVELAND,**

16 Plaintiff,

17 v.

18 **BEN CURRY, Warden, et al.,**

19 Defendants.
20

C 07-2809 JF (PR)

**DEFENDANTS' MOTION
FOR EXTENSION OF TIME
TO FILE DISPOSITIVE
MOTION**

21 Defendants Sather, Abanico, Curry, and Crawford (Defendants) respectfully request a sixty-
22 day extension of time, up to and including March 31, 2008, in which to file and serve a
23 dispositive motion.

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1 As explained fully in the accompanying declaration of counsel, Defendants seek this
2 extension of time because their counsel has two summary-judgment motions due in February.
3 Also, documents likely supportive of Defendants' anticipated dispositive motion cannot be
4 obtained before the date Defendants are presently required to file a dispositive motion. Finally,
5 when supportive documents arrive, additional time may be required to obtain declarations in
6 support of the anticipated dispositive motion.

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8 Dated: January 29, 2008

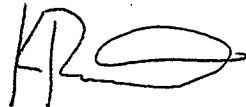
9 Respectfully submitted,

10 EDMUND G. BROWN JR.
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DECLARATION OF SERVICE BY OVERNIGHT COURIER

Case Name: **Ivan Vernard Cleveland v. Ben Curry, Warden, et al.**

No.: **C 07-2809 JF (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is: 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On **January 29, 2008**, I served the attached

1) DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTION

2) DECLARATION OF KENNETH T. ROOST IN SUPPORT OF DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTION

3) [PROPOSED] ORDER GRANTING DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTION

by placing a true copy thereof enclosed in a sealed envelope with the **California Overnight Service**, addressed as follows:

Ivan Cleveland (H-60545)
Correctional Training Facility
5 miles North Highway 101 N
Soledad, CA 93960
Pro Per

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **January 29, 2008**, at San Francisco, California.

R. Panganiban

Declarant

/S/R. Panganiban

Signature